

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

United States District Court  
Southern District of Texas  
FILED

JUL 24 2000

Michael N. Milby, Clerk

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

NATIONWIDE HOUSING SYSTEMS, INC.

Defendant

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Civil Action No. CA-00-125

**PLAINTIFF'S UNOPPOSED MOTION TO EXTEND TIME  
FOR PAYMENT OF SANCTIONS**

COMES NOW Plaintiff, Equal Employment Opportunity Commission(hereinafter "EEOC")  
and files this Unopposed Motion to Extend Time for Payment of Sanctions. In support of its Motion,  
Plaintiff EEOC would show the Court as follows:

**I. BACKGROUND**

1. Defendant filed its Motion for Sanctions on July 6, 2000, pursuant to Rule 16 and requested attorney's fees in the amount of \$4,762.50. The EEOC filed its Amended Response to Defendant's Motion for Sanctions on July 6, 2000. The Court conducted a hearing on the issue on July 6, 2000, and verbally ordered Plaintiff EEOC to pay attorneys fees in the amount of \$750.00 to Defendant by August 6, 2000.

2. Plaintiff EEOC requests that the Court extend the time of payment from August 6, 2000, to sixty(60) days from the date this Order is entered. In accordance with Department of Justice procedure, the processing time for requests for payment of attorneys fees takes from 4 to 6 weeks after the completed package is received by DOJ (See Exhibit 1). The package includes a copy of the

Court's Order for the attorneys fees and a copy of the clerk of court assessment of costs.

3. In this case, the Court has not yet issued its written Order for attorneys fees. The DOJ will not accept an incomplete package for processing. Therefore, Plaintiff EEOC requests that the deadline for payment date of attorneys fees be extended to 60 days from the date this Motion and Order are entered to cover the time for processing the request and to receive the Court's Order.

4. Plaintiff's counsel has conferred with Defendant's counsel and she is not opposed to the extension of 60 days to pay the attorneys fees from the date this Order is entered. This Motion is not for the purposes of harassment or delay, but to ensure that the Court's Order is followed by Plaintiff and the attorneys fees are paid to Defendant.

WHEREFORE PREMISES CONSIDERED, Plaintiff EEOC respectfully requests that this Court grant Plaintiff's Unopposed Motion to Extend Time for Payment of Sanctions.


Respectfully submitted,

C. GREGORY STEWART  
General Counsel

GWENDOLYN YOUNG REAMS  
Associate General Counsel

ROBERT B. HARWIN  
Regional Attorney  
D.C. State Bar No. 076083

LINDA GUTIERREZ  
Supervisory Trial Attorney  
Texas State Bar No. 08642750  
Southern District No. 14464

  
R. CHRIS PITTARD  
Trial Attorney  
Texas State Bar No. 00794465  
Southern District No. 23449



Equal Employment Opportunity Commission  
San Antonio District Office  
5410 Fredericksburg Road, Suite 200  
San Antonio, Texas 78229-3555  
(210) 281-7636  
(210) 281-7669 (fax)

ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF CONFERENCE**

I certify that I conferred with Defendant's counsel Anita M. Alessandra, Ashcraft Law Firm, P.C., on July 13, 2000, and she was not opposed to an extension of 60 days from the time this Motion and Order are entered.

  
R. CHRIS PITTARD

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing pleading was sent via certified mail return receipt requested the 21st of July, 2000, to Defendant's counsel, Anita M. Alessandra, Ashcraft Law Firm, P.C., 8750 N. Central Expressway, Suite 1070, Dallas, Texas 75231.

  
R. CHRIS PITTARD



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Washington, D.C. 20507

Office of  
General Counsel

JUL 12 2000

MEMORANDUM

TO: REGIONAL ATTORNEYS

FROM: C. GREGORY STEWART *C. G. Stewart*  
General Counsel

SUBJECT: Judgement Costs

All instances in which EEOC is ordered to pay attorney fees or Bills of Cost must be submitted to the Department of Justice (DOJ) for processing. In order to ensure that payment is processed in a timely manner, DOJ must have certain very specific information. The EEOC Debt Collection Officer, Jeanne Perez, is the EEOC official responsible for coordinating the requests between EEOC and DOJ. In order for her to submit the request to DOJ in a timely manner, please provide the following information in a memorandum:

- brief summary of the case
- recipient of the check
- tax id # (TIN) and address of the check recipient
- name and address of the party's counsel
- statement that the case is not being appealed.

Please attach to the memorandum the following:

- copy of the Judge's order, which is dated and has all necessary signatures
- copy of the Judgement
- copy of the complaint
- copy of clerk of court assessment of costs
- court documents granting costs, if available.

Please note that DOJ will make checks payable only to the parties, not the attorneys. Therefore, it is especially important that the plaintiffs' complete address, social security or TIN be provided.





The package requesting payment of judgement costs should be submitted to your LMS liaison to review. After LMS has reviewed the package, it will be given to Ralph Jeffries, who will coordinate with Jeanne Perez in OFRM. Once the package is received, it normally takes DOJ 4-6 weeks to process the payment. Therefore, it is critical that all of the necessary information and documents be provided at the outset. DOJ will not issue a check if the package is incomplete. A delay in receiving payment may result in defendant's counsel requesting and being awarded penalty payment on the initial award amount.

Please contact Jeanne Perez on (202) 663-4295 or Ralph Jeffries on (202) 663-4712, if you have any questions.

cc: LMS Liaisons  
Jeanne Perez

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**ORDER**

ON THIS DAY, came on to be heard Plaintiff's Motion to Extend Time for Payment of Sanctions, and the Court having heard said Motion, is of the opinion and finds that said Motion should be GRANT.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that Plaintiff's Motion to Extend Time for Payment of Sanctions is GRANTED.

SIGNED and ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
JANIS GRAHAM JACK  
UNITED STATES DISTRICT JUDGE